
Revised 9/10/03

**TIGARD CITY COUNCIL
MEETING**

SEPTEMBER 16, 2003 6:00 p.m.

**TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223**



PUBLIC NOTICE:

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead-time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting date by calling:

503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL WORKSHOP MEETING
SEPTEMBER 16, 2003

6:00 PM

1. **WORKSHOP MEETING**
 - 1.1 Call to Order - City Council
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non Agenda Items

2. **POLICE DEPARTMENT HOLDING FACILITIES TOUR**
 - Police Department Staff
 - Tour Location: Tigard Police Department

3. **INSURANCE PROCUREMENT UPDATE**
 - Administration Staff

4. **PROPOSED AMENDMENTS TO NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT PROGRAM**
 - Engineering Staff

5. **INDONESIAN DELEGATION**
 - Administration Staff

6. **PREVIEW BULL MOUNTAIN ANNEXATION PLAN**
 - Community Development Staff

7. **COUNCIL LIAISON REPORTS**

8. **NON-AGENDA ITEMS**

9. **EXECUTIVE SESSION:** The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and

those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

10. ADJOURNMENT

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AGENDA ITEM # _____
FOR AGENDA OF 09/16/03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Police Department Holding Facilities Inspection

PREPARED BY: Lt. Rick Rhodes DEPT HEAD OK WMD^{by AFB} CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Tour and inspection of the Police Department Temporary Holding facility as recommended by the Oregon State Department of Corrections.

STAFF RECOMMENDATION

Take tour of the holding facility provided by the Chief of Police and Inspections Officer for the department.

INFORMATION SUMMARY

During an inspection this year of the Tigard Police Temporary Holding Facility, it was noted by the state inspector that our facility has not been inspected by the governing authority of this jurisdiction. A review of the legal requirements with the inspector revealed that there is no regulatory requirement to do so, but the inspector still suggested that a tour/inspection be conducted on an annual basis by the City Council.

OTHER ALTERNATIVES CONSIDERED

All required inspections have been completed and with the help of the Risk Management department, we have created a form and inspections checklist that will be completed and reported each year to the Council to show compliance. This can be in-lieu of a council inspection annually.

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

None

FISCAL NOTES

No cost involved.

AGENDA ITEM # _____
FOR AGENDA OF 9/16/03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Insurance Procurement Update

PREPARED BY: Loreen Mills *Loreen L. Mills* DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Receive an informational update on the 2003-2004 insurance purchase results.

STAFF RECOMMENDATION

No action required.

INFORMATION SUMMARY

The City of Tigard uses the services of an Insurance Agent of Record to purchase property/casualty and workers' compensation insurance coverage each year. The Insurance Industry continues to be experiencing a "hard market" condition which results in increasing cost for coverage and decreasing the provider options. This has been the case for Tigard this year.

A verbal report will be presented on 9/16/03 to update the Council about this process, the resulting coverage decisions, and ongoing market negotiations.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

N/A

ATTACHMENT LIST

None

FISCAL NOTES

Adequate funds were budgeted in the 2003-04 budget to cover the expense.

AGENDA ITEM # _____
FOR AGENDA OF September 16, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Proposed Amendments to the Sewer Reimbursement Incentive Program

PREPARED BY: G. N. Berry DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Proposed additional incentives to the Neighborhood Sewer Reimbursement District Incentive Program.

STAFF RECOMMENDATION

That Council direct staff to submit a proposed resolution providing additional incentives to the Program.

INFORMATION SUMMARY

The current Incentive Program (Resolution No. 01-46) provides that if an owner connects to the sewer within three years of it becoming available, the owner's reimbursement fee is limited to \$6,000 plus the amount the owner's fair share of the cost of the sewer exceeds \$15,000. For most owners, the amount of the fair share does not exceed \$15,000 and the fee is limited to \$6,000. However, some lots, particularly large lots that could be partitioned, are assigned fair shares that exceed \$15,000 and would be required to pay an additional amount to connect their house to the sewer. This is a disincentive for those lot owners who merely wish to connect their existing houses to sewer.

In addition, there are undeveloped lots that have the potential to subdivide into two or three lots at some point in the future. However, the lot owner may choose to build a house on the undeveloped lot and connect to sewer at the same time. The program should recognize these situations and allow participation of these lots in the incentive program.

To make the program more equitable and to encourage early connections, the following additional incentives are proposed in the attached draft resolution.

1. For those lot owners whose reimbursement fee exceeds \$15,000 and merely wish to connect an existing house within three years after sewer becomes available, the amount over \$15,000 would be deferred until such time as the lot is partitioned, subdivided, or otherwise developed. These lot owners would get credit for the amount between \$6,000 and \$15,000 if they do connect within that three year period.
2. For each lot that is currently undeveloped but is included in a reimbursement district, a reimbursement fee of \$6,000 would be charged at the time a structure is constructed on the lot requiring sewer connection. Any amount over \$15,000 would be deferred until the lot is partitioned, subdivided or otherwise developed.

3. Those lot owners in reimbursement districts that have exceeded the three-year period for connection and have not connected to sewer can connect an existing structure, pay a reimbursement fee of \$6,000, and qualify for the deferral if they connect within one year after the effective date of this amendment.
4. The deferred amount would not be subject to the annual increase if development occurs and payment becomes due.

Upon direction from Council, a proposed resolution will be submitted for Council consideration at the October 14, 2003 Council meeting.

OTHER ALTERNATIVES CONSIDERED

Not applicable

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Not applicable

ATTACHMENT LIST

Draft Resolution

FISCAL NOTES

Funding is by unrestricted sanitary sewer funds.

CITY OF TIGARD, OREGON

RESOLUTION NO. 03-_____

A RESOLUTION PROVIDING ADDITIONAL INCENTIVES TO THE NEIGHBORHOOD SEWER REIMBURSEMENT DISTRICT INCENTIVE PROGRAM (RESOLUTION NO. 01 – 46).

WHEREAS, the City Council has initiated the Neighborhood Sewer Extension Program to extend public sewers through Reimbursement Districts in accordance with TMC Chapter 13.09; and

WHEREAS, on July 10, 2001, the City Council established the Revised and Enhanced Neighborhood Sewer Reimbursement District Incentive Program through Resolution No. 01-46 to encourage owners to connect to public sewer. The program offers owners reduced fees for three-years following construction of sewers; and

WHEREAS, Council has directed that additional incentives should be made available to encourage owners of large lots to promptly connect to sewers once service is available.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1: In addition to the incentives provided by Resolution No. 01-46, any person whose reimbursement fee exceeds \$15,000 and wishes to connect a single family home or duplex to a sewer constructed through a reimbursement district may defer payment of the portion of the reimbursement fee that exceeds \$15,000, as required by Section 3 of Resolution No. 01-46, until the lot is partitioned or otherwise developed in accordance with a land use permit. The land use permit shall not be issued until payment of the deferred amount is made. The Annual Fee Adjustment required by TMC Section 13.09.115 shall not apply to payment of this deferred amount.
- SECTION 2: Vacant lots improved with a single family home or duplex during the term of the reimbursement district shall qualify for the provisions of Resolution No. 01-46, pay \$6,000 if the fee exceeds that amount, and may defer payment of the portion of the reimbursement fee that exceeds \$15,000 as provided by Section 1.
- SECTION 3: Lots that qualify under Section 1, within reimbursement districts that have exceeded the three-year period for connection, and have not connected to sewer can connect the existing structure, pay a reimbursement fee of \$6,000, and defer payment of the portion of the reimbursement fee that exceeds \$15,000 if connection to the sewer is completed within one year after the effective date of this resolution.
- SECTION 4: The owner of any lot for which deferred payment is requested must enter into an agreement with the City, on a form prepared by the City Engineer, acknowledging the owner's and owner's successors obligation to pay the deferred amount as described in Section 1. The City Recorder shall cause the agreement to be filed in the office of the County Recorder to provide notice to potential purchasers of the lot. The recording will not create a lien. Failure to make such a recording shall not affect the obligation to pay the deferred amount.

SECTION 5: Any person who qualifies under Section 1 and has paid a reimbursement fee for the portion of the reimbursement fee in excess of \$15,000 is entitled to reimbursement for that amount from the City upon request. The amounts to be reimbursed and the persons to be paid shall be determined by the Finance Director and approved by the City Manager. There shall be a full explanation of any circumstances that require payment to any person who is not an original payer.

SECTION 6: The Sanitary Sewer Fund continues to remain the funding source for the Neighborhood Sewer Reimbursement District Program and shall provide the funding for the installation costs over \$6,000 up to a maximum of \$15,000 per connection and for any deferred payment permitted by this resolution.

SECTION 7: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2003.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

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AGENDA ITEM # _____
FOR AGENDA OF September 16, 2003

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Status Report from the Delegation from Samarinda Indonesia

PREPARED BY: Elizabeth Ann Newton DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Welcome the delegation from Samarinda, Indonesia and hear an update on the partnership program.

STAFF RECOMMENDATION

Formally welcome the delegation from Samarinda, Indonesia and hear an update on the partnership program.

INFORMATION SUMMARY

The City of Tigard has been given a unique opportunity to work in partnership with the City of Samarinda, and County of Kutai, East Kalimantan, Indonesia along with Washington County. This is part of the International Resource Cities program which is funded by the U.S. Agency for International Development (USAID) and implemented by the International City/County Management Association (ICMA).

In February 2002, a delegation from Tigard and Washington County visited Samarinda and the County of Kutai and signed an agreement between the cities and counties and ICMA to develop an improved citizen participation process, create a solid waste recycling program, design and implement a training program in double entry accounting, and prepare a matrix of potential revenue generating programs.

In June of 2002, a delegation of seven Indonesians visited Tigard and Washington County and trained with city and county staff in the above areas. In October of 2002, a delegation of six city and county staff members went over to Indonesia to conduct training in the program areas.

A delegation of three Samarinda representatives visited Tigard the week of February 8, 2003, to receive further training in the area of citizen participation, drinking water systems and recycling education. In June 2003, two delegates from Samarinda participated in training with City of Beaverton's Dispute Resolution Center.

Three delegates will spend the week of September 14, 2003 in Tigard to focus on municipal water system development and management and learn more about citizen involvement. The delegation includes Muhammad Saili, the CEO of the City of Samarinda, Fauzi Jailani, a Samarinda City Council member and Fathurrachman Alhinduan, director of the water company. They will attend the September 16, 2003 meeting to present a program update.

OTHER ALTERNATIVES CONSIDERED

None

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

None

ATTACHMENT LIST

None

FISCAL NOTES

None

AGENDA ITEM # _____
FOR AGENDA OF 9/16/03

CITY OF TIGARD, OREGON
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on the Preparation of the Bull Mountain Annexation Plan

PREPARED BY: Jim Hendryx DEPT HEAD OK _____ CITY MGR OK _____

ISSUE BEFORE THE COUNCIL

Discuss the preparation of the Bull Mountain Annexation Plan elements:

- timing and sequence of annexation
- schedule for providing urban services
- effects on existing services providers; impact on special service districts
- long term benefits of annexation

STAFF RECOMMENDATION

No action necessary.

INFORMATION SUMMARY

For over 20 years, the City of Tigard and Washington County have recognized that unincorporated Bull Mountain and its citizens would be best served by the City of Tigard. In recognition of this fact, in 2001, the Tigard City Council established a goal to develop an annexation policy for non-island areas, such as Bull Mountain, and directed staff to study the feasibility of annexing the unincorporated Bull Mountain area. Since July 2001, the City has been exploring annexation of the Bull Mountain area through: a focus group with residents, a study, an open house with residents, and most recently, a phone survey. In June and July 2003, the Council reviewed the Draft Public Facilities and Services Assessment Report for the Bull Mountain Area.

This information has been used in the development of three non-island annexation policy alternatives: 1) An annexation plan, which provides a plan for the sequence of annexation, local standards of service, a schedule of providing urban services, the effect on existing urban service providers, and long-term benefits of annexation; 2) Identification of "target areas" which would focus on annexation of specific areas; 3) Continuation of the existing approach, which does not require annexations but assists property owners if and when they wish to annex.

These three annexation policy alternatives were developed and presented to Council and the Board of Commissioners on July 29, 2003. Following the July 29, 2003 meeting, Council concurred to proceed with preparation of an annexation plan in coordination with Washington County so the Council can consider placing a measure on the March 9, 2004 ballot. This date was chosen in order for the City to begin providing services to those areas annexed as of July 1, 2004. There are several steps leading up to a possible March election including preparation of an annexation plan: public outreach, a public hearing (tentatively scheduled for December 2, 2003), preparation of the ballot title, etc.

On September 9, 2003 City Council considered adoption of a resolution directing the preparation of an annexation plan for unincorporated Bull Mountain.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management, Goal #2 – Urban services are provided to all citizens within Tigard’s urban growth boundary and recipients of services pay their share.

ATTACHMENT LIST

None.

FISCAL NOTES

N/A